



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,551	07/11/2003	Kenji Yoneda	43521.0600	5157

7590 11/16/2004
Joseph W. Price
SNELL & WILMER L.L.P.
Suite 1200
1920 Main Street
Irvine, CA 92614-7230

EXAMINER

LEE, GUIYOUNG

ART UNIT	PAPER NUMBER
----------	--------------

2875

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/618,551	YONEDA ET AL.	
	Examiner	Art Unit	
	Guiyoung Lee	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3,8-10,13-15 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 4-7,11,12,16 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0703</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 8-10, 13-15 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mass et al. (US 6,402,347 B1) in view of C. A. Ellis (US 2,764,058).
4. Re claims 1-3: Mass discloses a light irradiating unit comprising an LED (3 in Fig. 1) and a housing (1) into which the LED is incorporated and which has a heat dissipating portion (2), and a pressing arrangement (the two pressing elements at the bottom of the lens 7 and 8 in Fig. 1) and a positioning element (the two positioning elements at the bottom of PCB 4 and conducting board 5 in Fig. 1). Mass does not disclose that the housing is divided into a first housing element and a second housing element and two pressing faces are arranged in the first housing element and the second housing element. However, Ellis teaches a first housing element (8 in Fig. 4) and a second housing element (38 in Fig. 8), and a first pressing face (18) is arranged at the first housing element and a second pressing face (37) is arranged in the second housing element. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Mass' housing to include two housing elements and two pressing faces in order to

Art Unit: 2875

detachably secure the LED and lens in the housing. Further, Mass discloses a wall (1 in Fig. 1) and a projecting body (1' in Fig. 1).

Re claims 8-9, 13-14 and 18-19: Mass discloses a lens mechanism having a first lens and a second lens (Fig. 3).

Re claims 10, 15 and 20: Mass discloses that the heat dissipating portion is in a shape of a fin (2 in Fig. 1).

Allowable Subject Matter

5. Claims 4-7, 11-12 and 16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: With regard to claims 4, 11 and 16, the prior art of record, Hass and Ellis, fail to disclose a light irradiating unit, configured as claimed, wherein the LED in an elementary substance can flow electrical current not lower than 200 mA through 300mA in a stationary state. With regard to claims 5, 12 and 17, the prior art of record does not disclose an elastic member arranged between at least one of first and the second pressing faces and the LED. With regard to claims 6-7, the prior art of record does not disclose a ring portion of the positioning element, wherein the positioning arrangement makes use ring portion mounted on the housing and positions the LED by inserting the LED into a center through hole of the ring portion without a slack accompanied by joining the first housing element to the second housing element. Further, Hass and Ellis do

Art Unit: 2875

not disclose that an inner face of the ring portion is a mirror finished conic concave face and the ring portion has a function to guide light forward, as set forth in the claim.

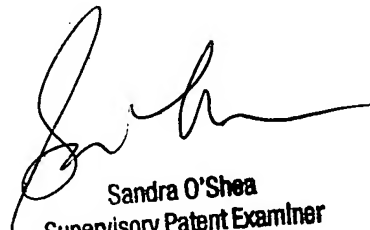
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LGY


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800